

Panaji, 27th September, 2007 (Asvina 5, 1929)

SERIES I No. 26

OFFICIAL GOVERNMENT OF GOA GAZETTE



GOVERNMENT OF GOA

Notification

Department of Education, Art & Culture

Acad/SGN/57/2001

Directorate of Education

Order

1(2)-4-2007/SE/1006

Approval of the Government is hereby conveyed for revival of the following Group 'A' Gazetted posts in the pay scale of Rs. 10,000-325-15,200/- under the Directorate of Education.

| Sr. No. | Designation of posts | No. of posts |
|---------|--|--------------|
| 1. | Dy. Directors of Education | 3 |
| 2. | Assistant Directors of Education | 8 |
| 3. | Joint Secretary (Goa Board of Secondary and Higher Secondary Education) (In the cadre of Dy. Environmental Education Officer/Principal, GHSS. Education Officers). | 3 |

This issues with the approval of the Hon. Chief Minister vide U. O. No. CM/6527/07 dated 3-9-2007.

By order and in the name of the Governor of Goa.

Dr. Celsa Pinto, ex officio Joint Secretary (School Education).

Panaji, 11th September, 2007.

The following draft rules which are proposed to be made so as to further amend the Goa, Daman and Diu School Education Rules, 1986, are hereby pre-published as required by sub-section (1) of section 29 of the Goa, Daman and Diu School Education Act, 1984 (Act 15 of 1985), for information of the persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration by the Government on the expiry of fifteen days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions to the said draft rules may be forwarded to the Director of Education, Directorate of Education, Government of Goa, Panaji, before expiry of fifteen days from the date of publication of this Notification in the Official Gazette.

DRAFT RULES

In exercise of the powers conferred by Section 29 of the Goa, Daman and Diu School Education Act, 1984 (Act 15 of 1985), the Government of Goa hereby makes the following rules so as to further amend the Goa, Daman and Diu School Education Rules, 1986, as follows, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa School Education (Amendment) Rules, 2007.

(2) They shall come into force at once.

2. *Amendment to rule 78.*— In rule 78 of the Goa, Daman and Diu School Education Rules, 1986, in the TABLE, after item at Sr. No. (11), the following item shall be inserted, namely:—

| | | | | | |
|----|----------------------------|----------|--|-------|---------------|
| 12 | Teacher in Diesel Mechanic | 40 years | (i) Diploma in Automobile Engineering from a recognized Institution/Board Or (i)(a) National Trade Certificate in Diesel Mechanic (b) S.S.C. or equivalent qualification with Maths and Science subjects. (c) Apprenticeships in an industrial concern for a period not less than four years in the trade concerned. (d) Practical experience in the trade concerned for not less than 2 years. (ii) Knowledge of Konkani. | N. A. | Rs. 5500-9000 |
|----|----------------------------|----------|--|-------|---------------|

By order and in the name of the Governor of Goa.

Dr. *Celsa Pinto*, Director of Education.

Panaji, 10th September, 2007.

Directorate of Higher Education

Order

16/121/96-Hr.EDN/1742

Sanction of the Government is hereby conveyed for creation of the following Group "A" post to Government College of Arts & Commerce, Pernem, Goa.

| Sr. No. | Designation of the post | No. of post | Pay scale of posts |
|---------|-------------------------|-------------|--------------------|
| 1. | Lecturer in Commerce | 2 | 8000-275-13500 |
| 2. | Lecturer in Marathi | 1 | 8000-275-13500 |
| | | 3 | |

The expenditure shall be debited to the Budget Head of Account "2202—General Education, 03—University & Higher Education, 103—Government Colleges & Institutes, 01—Government College (Plan), 01—Salaries".

This issues with the concurrence of the Finance department vide their U. O. No. FIN (R&C) 1014.F dated 3-4-2007.

By order and in the name of the Governor of Goa.

R. K. Halarnkar, Under Secretary (Higher Education).

Panaji, 12th September, 2007.

Department of Law & Judiciary

Legal Affairs Division

Notification

10/2/2005-LA (Part)

The Indian Telegraph (Amendment) Act, 2006 (Central Act No. 57 of 2006), which has been passed by the Parliament and assented to by the President of India on 29-12-2006 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 29-12-2006, is hereby published for general information of the public.

Sharad G. Marathe, Joint Secretary (Law).

Porvorim, 18th July, 2007.

THE INDIAN TELEGRAPH (AMENDMENT) ACT, 2006

AN

ACT

further to amend the Indian Telegraph Act, 1885.

BE it enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Indian Telegraph (Amendment) Act, 2006.

(2) It shall be deemed to have come into force on the 30th day of October, 2006.

2. *Amendment of section 3.*— In section 3 of the Indian Telegraph Act, 1885 (hereinafter referred to as the principal Act), in clause (1A), for the words "obligation to provide access to basic telegraph services", the words "obligation to provide access to telegraph services" shall be substituted.

3. *Repeal and saving.*— (1) The Indian Telegraph (Amendment) Ordinance, 2006 is hereby repealed. Ord. 3 of 2006.

(2) Notwithstanding the repeal of the Indian Telegraph (Amendment) Ordinance, 2006, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act. Ord. 3 of 2006.

Notification

10/2/2005-LA (Part)

The Essential Commodities (Amendment) Act, 2006 (Central Act No. 54 of 2006), which has been passed by the Parliament and assented to by the President of India on 24-12-2006 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 26-12-2006, is hereby published for general information of the public.

Sharad G. Marathe, Joint Secretary (Law).

Porvorim, 18th July, 2007.

THE ESSENTIAL COMMODITIES (AMENDMENT) ACT, 2006

AN

ACT

further to amend the Essential Commodities Act, 1955.

BE it enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Essential Commodities (Amendment) Act, 2006.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Amendment of section 2.*— In the Essential Commodities Act, 1955 10 of 1955. (hereinafter referred to as the principal Act), in section 2, clause (a) shall be omitted.

3. *Insertion of new section 2A.*— After section 2 of the principal Act, the following section shall be inserted, namely:—

'2A. Essential commodities declaration, etc.— (1) For the purposes of this Act, "essential commodity" means a commodity specified in the Schedule.

(2) Subject to the provisions of sub-section (4), the Central Government may, if it is satisfied that it is necessary so to do in the public interest and for reasons to be specified in the notification published in the Official Gazette, amend the Schedule so as to—

(a) add a commodity to the said Schedule;

(b) remove any commodity from the said Schedule,

in consultation with the State Governments.

(3) Any notification issued under sub-section (2) may also direct that an entry shall be made against such commodity in the said Schedule declaring that such commodity shall be deemed to be an essential commodity for such period not exceeding six months to be specified in the notification:

Provided that the Central Government may, in the public interest and for reasons to be specified, by notification in the Official Gazette, extend such period beyond the said six months.

(4) The Central Government may exercise its powers under sub-section (2) in respect of the commodity to which Parliament has power to make laws by virtue of Entry 33 in List III in the Seventh Schedule to the Constitution.

(5) Every notification issued under sub-section (2) shall be laid, as soon as may be after it is issued, before both Houses of Parliament.'

4. *Amendment of section 3.*— In section 3 of the principal Act, in sub-section (2), in clause (g), the words "or cotton textiles" shall be omitted.

5. *Amendment of section 12A.*— In section 12A of the principal Act, in sub-section (2), in clause (a), sub-clause (i) shall be omitted.

6. *Savings of the orders issued under section 3.*— All notifications, orders, directions issued or any

appointment made, licence or permit granted under section 3 of the principal Act before the commencement of this Act and are in force, in respect of the essential commodities specified in the Schedule, shall continue to remain in force until and unless it is superseded by any notification, order, appointment made, licence or permit granted or directions issued and it shall be deemed to have been issued under the corresponding provisions of this Act.

THE SCHEDULE

(See section 2 A)

Essential Commodities

(1) drugs.

Explanation.— For the purposes of this Schedule, “drugs” has the meaning assigned to it in clause (b) of section 3 of the Drugs and Cosmetics Act, 1940; 23 of 1940.

(2) fertilizer, whether inorganic, organic or mixed;

(3) foodstuffs, including edible oilseeds and oils;

(4) hank yarn made wholly from cotton;

(5) petroleum and petroleum products;

(6) raw jute and jute textiles;

(7) (i) seeds of food-crops and seeds of fruits and vegetables;
(ii) seeds of cattle fodder; and
(iii) jute seeds.

Notification

10/2/2005-LA (Part)

The Uttaranchal (Alteration of Name) Act, 2006 (Central Act No. 52 of 2006), which has been passed by the Parliament and assented to by the President of India on 21-12-2006 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 21-12-2006, is hereby published for general information of the public.

Sharad G. Marathe, Joint Secretary (Law).

Porvorim, 18th July, 2007.

THE UTTARANCHAL (ALTERATION OF NAME) ACT, 2006

AN

ACT

to alter the name of the State of Uttaranchal.

BE it enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Uttaranchal (Alteration of Name) Act, 2006.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Definitions.*— In this Act, unless context otherwise requires,—

(a) “appointed day” means the date appointed under sub-section (2) of section 1 for the coming into force of this Act;

(b) “appropriate Government” means, as respects a law relating to a matter enumerated in List I in the Seventh Schedule to the Constitution, the Central Government, and as respects any other law, the State Government.

(c) “law” includes any enactment, Ordinance, regulation, order, bye-law, rule, scheme, notification or other instrument having the force of law in the whole or any part of the State of Uttaranchal.

3. *Alteration of name of the State of Uttaranchal.*— As from the appointed day, the State of Uttaranchal shall be known as the State of Uttarakhand.

4. *Amendment of First Schedule to the Constitution.*— In the First Schedule to the Constitution, under the heading “I. THE STATES”, in entry 27, under the column “Name”, for the word “Uttaranchal”, the word “Uttarakhand” shall be substituted.

5. *Amendment of Fourth Schedule to the Constitution.*— In the Fourth Schedule to the Constitution, under the heading “TABLE”, in entry 18, in the second column, for the word “Uttaranchal”, the word “Uttarakhand” shall be substituted.

6. *Power to adapt laws.*— (1) For the purpose of giving effect to the alteration of the name of the State of Uttaranchal by section 3, the appropriate Government may, before the expiration of one year from the appointed day, by order, make such adaptations and modifications of any law made before the appointed day, whether by way of repeal

or amendment, as may be necessary or expedient, and thereupon every such law shall have effect subject to the adaptations and modifications so made.

(2) Nothing in sub-section (1) shall be deemed to prevent a competent Legislature or other competent authority from repealing or amending any law adapted or modified by the appropriate Government under the said sub-section.

7. *Power to construe laws.*— Notwithstanding that no provision or insufficient provision has been made under section 6 for the adaptation of a law made before the appointed day, any court, tribunal or authority, required or empowered to enforce such law, may construe the law in such manner, without affecting the substance, as may be necessary or proper in regard to the matter before the court, tribunal or authority.

8. *Legal proceedings.*— Where immediately before the appointed day any legal proceedings are pending to which the State of Uttaranchal is a party, the State of Uttarakhand shall be deemed to be substituted for the State of Uttaranchal in those proceedings.

Notification

10/2/2005-LA (Part)

The Jallianwala Bagh National Memorial (Amendment) Act, 2006 (Central Act No. 51 of 2006), which has been passed by the Parliament and assented to by the President of India on 21-12-2006 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 21-12-2006, is hereby published for general information of the public.

Sharad G. Marathe, Joint Secretary (Law).

Porvorim, 18th July, 2007.

THE JALLIANWALA BAGH NATIONAL MEMORIAL (AMENDMENT) ACT, 2006

AN

ACT

to amend the Jallianwala Bagh National Memorial Act, 1951.

BE it enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows:—

1. *Short title.*— (1) This Act may be called the Jallianwala Bagh National Memorial (Amendment) Act, 2006.

2. *Amendment of section 4.*— In the Jallianwala Bagh National Memorial Act, 1951 (hereinafter referred to as the 25 of 1951. principal Act), in section 4, for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) The trustees of the Jallianwala Bagh National Memorial shall be the following, namely:—

- (a) the Prime Minister — Chairperson,
- (b) the President of the Indian National Congress,
- (c) the Minister in-charge of Culture,
- (d) the Leader of Opposition in the Lok Sabha,
- (e) the Governor of the State of Punjab.
- (f) the Chief Minister of the State of Punjab, and
- (g) three eminent persons to be nominated by the Central Government.”.

3. *Substitution of new section for section 5.*— For section 5 of the principal Act, the following section shall be substituted, namely:—

“5. *Term of office of nominated Trustees.*— The Trustees nominated under clause (g) of sub-section (1) of section 4 shall be trustees for a period of five years, and shall be eligible for renomination.”.

4. *Insertion of new section 7A.*— After section 7 of the principal Act, the following section shall be inserted, namely:—

“7A. *Power to approve audited accounts.*— The trust shall meet at least once in a year to approve the audited accounts of the Trust and shall transact such other business as may be considered necessary.”.

5. *Insertion of new section 8A.*— After section 8 of the principal Act, the following section shall be inserted, namely:—

"8A. *Accounts and audit.*— (1) the accounts of the trust shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Trust to the Comptroller and Auditor-General.

(2) The Comptroller and Auditor-General and any person appointed by him in connection with the audit of the accounts of the trust under this Act shall, have the same rights and privileges and the authority in connection with such audit as the Comptroller and auditor-General generally has in connection with the audit of Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect the office of the Trust.

(3) The accounts of the trust as certified by the Comptroller and Auditor-General or any other person appointed by him in this behalf, together with the audit report thereon shall be forwarded annually to the Central Government by the Trust and the Central Government shall

cause the audit report to be laid, as soon as may be, after it is received, before each House of Parliament."

6. *Insertion of new section 10A.*— After section 10 of the principal Act, the following section shall be inserted, namely:—

"10A. *Rules and regulations to be laid before Parliament.*— Every rule or regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation or both Houses agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation."